

### **REMARKS**

Claims 1, 3-4, 10, 12-13, 15, 17 and 19 are currently pending in this application.

Claims 5, 7-9, 14, 16, 18 and 20 have been cancelled without prejudice to the filing of a continuation or divisional application directed to the subject matter thereof. No new matter has been added by this Amendment, and entry of the Amendment is respectfully requested.

#### **Allowed Claims**

At the outset, Applicant would like to thank the Examiner for the indication that claims 1, 3-4, 10, 12-13, 15, 17 and 19 are allowed.

#### **§ 102(b) and § 103(a) Rejections of Claims**

At pages 3-8 of the Office Action, the Examiner has rejected claims 5, 8, 14, 16, 18 and 20 under 35 U.S.C. § 102(b) as being anticipated by Japanese Patent Application Publication No. JP 03-281329 (Kihara). Claim 7 has been rejected under 35 U.S.C. § 103(a) as being obvious over Kihara in view of U.S. Patent No. 6,500,378 (Smith) and further in view of U.S. Patent No. 6,461,797 (Lercel). Claim 9 has been rejected under 35 U.S.C. § 103(a) as being obvious over Kihara in view of U.S. Patent No. 3,718,396 (Hennings).

At pages 10-11 of the Office Action, the Examiner responds to the arguments set forth in Applicant's July 29, 2010 response. The Examiner takes the position that the apparatus disclosed by Kihara is identical to and can be operated in the same manner as the apparatus disclosed by Applicant.

While Applicant does not agree with the Examiner's position, claims 5, 8, 14, 16, 18 and 20 have been cancelled, thereby rendering the rejection of these claims moot. Accordingly, reconsideration and withdrawal of the rejections of claims 5, 8, 14, 16, 18 and 20 are respectfully requested.

Accordingly, with entry of the foregoing Amendment, allowed claims 1, 3-4, 10, 12-13, 15, 17 and 19 are the only claims that remain pending in the present application.

**CONCLUSION**

In view of the foregoing Amendment and Remarks, which cancel all of the rejected claims, Applicant respectfully submits that the present application, including allowed claims 1, 3-4, 10, 12-13, 15, 17 and 19, is in condition for allowance and such action is respectfully requested

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Respectfully submitted,

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